

A MEETING OF THE BOARD OF
COMMISSIONERS OF THE CITY OF
SODDY-DAISY, TENNESSEE WAS HELD
ON THURSDAY, JANUARY 20, 2022 AT 7:00 P.M.

INVOCATION BY: JACKIE PENNEY

MEETING CALLED TO ORDER BY:
VICE-MAYOR COTHRAN

MEMBERS PRESENT:
VICE-MAYOR COTHRAN
COMMISSIONER COLEMAN
COMMISSIONER EVERETT
COMMISSIONER SHIPLEY
CITY MANAGER JOHNSON
CITY ATTORNEY ELLIOTT
ASSISTANT RECORDER DOLBERRY

MEMBERS ABSENT:
MAYOR NUNLEY

Vice-Mayor Cothran stated that the trophies had been ordered, but were not yet delivered. He said the winners would be recognized tonight and the trophies delivered once they are received. Vice-Mayor Cothran announced the winners of the 2021 Christmas Parade as follows:

Best of Best 1st Place – David Casteel, State Farm
Best of Best 2nd Place – Oak Street Baptist Church
Best of Best School Winner 1st Place – Girl Scouts “Let It Snow”
Best of Best School Winner 2nd Place – Soddy-Daisy High School Football/Cheer Team

Chandler Hunt, Berry Engineers, 63 Broad Street, Cleveland, Tennessee requested that the bond posted for the Dollar General, 8418 Dayton Pike, be released. Mr. Hunt stated that they have now completed the project. He said the original stormwater design had met the requirements of Hamilton County, but the City had asked for extra improvements. He said a bond was posted to allow the Dollar General to open while the additional improvements were made. Public Works Director Grant said that he has made several trips over the last few months to observe the site. He said it appears that the pond is containing approximately 95 percent of

the water. He stated that he has yet to see water come out of the pipe. Vice-Mayor Cothran questioned if Public Works Director Grant would recommend the bond release. Public Works Director Grant stated that there is no reason to hold the bond any further. He suggested that Berry Engineering might be willing to return if the stormwater system is not working.

Commissioner Everett stated that his daughter lives on Pine Street, so he is familiar with the area. He said during a recent rain event if the water runoff had been increased by the Dollar General it should have happened then. He said it appears to be as good as it has ever been. He said he does not see that the Dollar General is creating the problem. Public Works Director Grant said that there was no water between Charlie's Lounge and the Dollar General when he was there. Commissioner Shipley asked if the system fails by State Law is Berry Engineering responsible. Mr. Hunt said no, Dollar General would be. It was the consensus of the Board to release the bond.

The minutes of the regular meeting held on December 2, 2021 were approved as presented.

OLD BUSINESS:

2021-22 ORDINANCE NO. 8

AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE, RELATING TO THE REQUESTED DE-ANNEXATION OF CERTAIN TRACTS OF PROPERTY LOCATED ADJACENT TO BOWMAN ROAD. SECONG AND FINAL READING.

Vice-Mayor Cothran stated that this Ordinance passed on first reading at the last meeting.

- 1st - Vice-Mayor Cothran to approve the Ordinance on second reading with the effective date being changed from December 31, 2022 to ninety (90) days after the second reading. He said the municipal taxes and services would stop on April 20, 2022.
- 2nd - Commissioner Everett
- Ayes - Unanimous

NEW BUSINESS:

AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE, AMENDING THE SODDY-DAISY ZONING ORDINANCE, ARTICLE V, GENERAL PROVISIONS & EXCEPTIONS RELATIVE TO SHORT -TERM RENTALS. PUBLIC HEARING AND FIRST READING.

City Attorney Elliott stated that this amendment had been discussed at length in the Planning Commission meeting. He said that Planner Haynes had pointed out that the current ordinance already has provisions for what this amendment is attempting to achieve. He said the Planning Commission had recommended to deny the amendment. He said should the Board wish to leave the ordinance as is, they would make no motion and it would die for lack of a motion. Vice-Mayor Cothran stated that the Ordinance dies for lack of a motion.

AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE TO REZONE A PORTION OF 341 HIXSON STREET FROM R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT. PUBLIC HEARING AND FIRST READING.

Matt Schaller, West Brow Development, 3301 Brainerd Road, Chattanooga, Tennessee was present on behalf of the request. He said he would like to clarify that under the current zoning of R-T/Z they could be build 300 townhomes now, but are asking to rezone to R-1 which would allow them to build approximately 80 single-family homes. He said the requested zoning will lower the density of the development. He said after discussion with the Planning Commission he is under the assumption that West Brow will install a de-acceleration lane on their property so as not to impede Hyatte Road Traffic. Commissioner Shipley said that he had visited the site today and had some questions. He asked if West Brown had bought the entire parcel containing approximately 70 acres. Mr. Schaller stated yes, but right now they are only developing the top flat portion which contains 41 acres. Commissioner Shipley said that it did

not appear feasible to build a road to connect with Rock Quarry Road. Mr. Schaller said it is too steep with a slope in excess of forty percent (40%). He said they plan to leave the big oak trees as a buffer and to stabilize the hill.

Dale Lovelady stated that his mother lives on Hixson Street and he is concerned with the additional traffic on Hyatte Road. When school begins and ends and when the high school has ballgames, he said it is almost impossible to get out of your driveway. He said with construction equipment Hyatte Road will only become more dangerous. He asked if the construction traffic could be prohibited on Hixson Street. He said they could access on the other side. Commissioner Shipley asked Mr. Schaller if he would be willing to have his construction traffic access from Lovell Road to avoid Hixson Street. Public Works Director Grant stated he also would prefer this. Mr. Schaller said they would do what they could. Commissioner Shipley asked Soddy-Daisy Police Captain Billy Petty if the Police Department could assist with this. Captain Petty said if signs are posted, yes they can.

Everett Higgins, 104 Hixson Street, questioned how many entrances they were proposing, would the road be widened and would the developer install sewers. He also asked if sewers are installed would the existing homes be required to have sewer too.

Jackie Penney, 204 Hyatte Road, questioned what plans the developer has for the remaining 40 acres on this parcel. Mr. Schaller said none at this time. He said he does not see how they could build down the hill with the steep terrain. He said he feels it is undevelopable.

Vice-Mayor Cothran said that with the current zoning the developer can build townhomes right now, but is requesting to rezone the property which will reduce the number of homes built. Commissioner Everett asked City Attorney Elliott if the developer were to build townhomes with

fire walls could the Board stop them. City Attorney Elliott said no. Commissioner Everett said the developer is going to develop the property either with a large number of townhomes or a lesser number of single-family houses. In this case, less is best. Jackie Penney said that the Board denied Mr. Poteet when he wanted to develop this property. City Manger Johnson said that Assistant City Recorder Dolberry had researched the property and asked her to explain what she found. Assistant Recorder Dolberry said that the former owner, Mr. Poteet, had rezoned the entire parcel to R-T/Z. She stated in 2004 a preliminary plat was approved to create 60 single-family residential lots on top very similar to what Mr. Schaller is proposing. Then in 2008 a site sketch was prepared by Mr. Poteet showing mixed use (town homes and single family homes) at the top and a road extending off of Rock Quarry with multiple townhomes. She said she did not find a preliminary or final plat for this proposal. She further stated that Mr. Poteet had requested a variance in 2008 to the open space requirement and its slope. This request was denied. A month later, Mr. Poteet then requested an amended variance and it was granted. She said with Vested Property Rights any development would have to start over. City Attorney Elliott said that Vested Property Rights expire after 3 years.

Shirley Lovelady, 352 Hixson Street, expressed her concern with the increase of traffic and large construction equipment on Hixson Street and Hyatte Road as well as the narrowness of both streets. Commissioner Shipley questioned Mr. Schaller if there were any way to get additional access down the hill to Rock Quarry Road or Hixson Street. Mr. Schaller said it would not be feasible as the grade exceeds forty percent (40%). Public Works Director Grant stated that he and Fire Chief Guffey had looked at the topo maps just before the meeting. He said there is a 400 foot drop and the grade is closer to sixty percent (60%). It was noted that the City has a maximum of

fifteen percent (15%) grade on streets to allow for fire department access.

- 1st - Commissioner Shipley to approve
- 2nd - Commissioner Everett
- Ayes - Unanimous

Citizens Participation:

Jim Stewart, 13015 Emerald Bay Drive, presented the Board with a handout for upcoming events. He said that citizen forester classes would be offered on Saturdays in February at 9:00 a.m. and two of the classes would be held at Ivy Academy. He also announced an Arbor Day Celebration on March 5th at 9:00 a.m. at Pine Tree Park.

City Manager Johnson requested approval to purchase Motorola radios under State Contract for the Fire Department in the amount of \$72,942.30. He said this is a budgeted item.

- 1st - Commissioner Shipley
- 2nd - Commissioner Coleman
- Ayes - Unanimous

City Manager Johnson said the Police Department is requesting to surplus two 2013 Ford Taurus as the new cars are arriving.

- 1st - Commissioner Shipley
- 2nd - Commissioner Everett
- Ayes - Unanimous

Police Chief Sneed presented the Board with his year end report. He thanked the officers on the street for their hard work.

Commissioner Everett said that he had previously worked for the City as a city employee for 9 years. He expressed his appreciation for the employees and the time they sacrifice for the City. He said the building permits were up last month which indicates to him that people want to live and work in Soddy-Daisy. He said this is a statement to the City Staff.

Commissioner Shipley questioned the distance from the Hyatte Road parcel to Sequoyah

Road. Public Works Director Grant stated approximately 1-1/2 to 2 miles. Commissioner Shipley asked the Board to give thought to the proposed development before the next meeting.

Commissioner Coleman thanked the Public Works Department for their recent work in Pine Tree Park and at the North Park. He said the construction of Fire Hall No. 3 is getting closer to completion. He also noted that building permits were over 1 million for December.

Vice-Mayor Cothran expressed his appreciation for the Police Department and their recent handling of a situation at his sister's house. He said the dispatcher and officer were very professional and his sister was extremely appreciative of their response and service. He also thanked the Commissioners for their service to the City. He said each of them loves, worries and tries to do what is best for this City. He said that the Mayor has COVID, but is feeling better.

Commissioner Coleman questioned Chief Sneed if the Soddy-Daisy Middle School traffic situation has been addressed. Chief Sneed said they are working on it.

Adjourned 7:53 p.m.

City Recorder Johnson